

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

INCOME TAX APPEAL NO.123 OF 2004

The Commissioner of Income Tax,
Mumbai city-V, Mumbai

Appellant

vs.

M.M. Suri & Associates Pvt.Ltd.

Respondent

Mr.R.Asokan i/b. Mr.H.D.Rathod for the appellant.

**CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.**

DATED : 13th December 2004

P.C.

Heard.

2. The controversy raised in this appeal is concluded by the Division Bench judgment of this Court in the case of Cadell Weaving Mill Co. Pvt.Ltd. v. Commissioner of Income Tax, 249 ITR 265. However, the learned counsel submits that the said judgment is under challenge before the Supreme Court. Even if that be so, in so far as we are concerned, the controversy stands concluded by the Division Bench judgment of this Court.

3. No substantial question of law arises.

4. Dismissed in limine.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)